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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. C07-5944 SC
MDL No. 1917

This Document Relates to:
ALL ACTIONS

**STIPULATION ADOPTING SPECIAL
MASTER'S PROCEDURAL AND
SCHEDULING ORDER AND
[Proposed] ORDER**

WHEREAS Direct Purchaser Plaintiffs ("Direct Purchasers") and the Indirect Purchaser Plaintiffs ("Indirect Purchasers") filed three separate discovery motions against defendants Hitachi, Ltd., Hitachi Displays, Ltd., Hitachi Asia, Ltd., Hitachi Electronic Devices (USA), Inc. and Hitachi America, Inc. (collectively the "Hitachi Defendants" or "Hitachi"): 1) Motion to Compel Discovery of Information Antedating November 2003 (Docket No. 756); 2) Motion to Compel Discovery of Foreign Conduct and Pricing (Docket No. 757); 3) Motion to Compel Discovery With Respect to

1 CRT Products (Docket No. 758) and 4) Declaration of R. Alexander Saveri in Support of Motion to
2 Compel/Strike Objections Against Hitachi Defendants (Docket No. 755);

3 WHEREAS the Hitachi Defendants filed oppositions to each motion: 1) Opposition to
4 Plaintiffs' Motion to Compel Discovery of Information Antedating November of 2003 (Docket No.
5 770); 2) Opposition to Plaintiffs' Motion to Compel Discovery of Foreign Conduct and Pricing
6 (Docket No. 771); 3) Opposition to Plaintiffs' Motion to Compel Discovery with Respect to CRT
7 Products (Docket No. 772); 4) Declaration of Diane L. Webb in Support of Oppositions to Motion
8 to Compel/Strike Objections Against Hitachi Defendants (Docket No. 773); 5) Declaration of L.
9 Thomas Heiser in Opposition to Motions to Compel/Strike Objections Against Hitachi Defendants
10 (Docket No. 774); 6) Request for Judicial Notice in Support of Oppositions to Motion to
11 Compel/Strike Objections Against Hitachi Defendants (Docket No. 775); and 7) Declaration Of
12 Tillie Lim In Support Of Oppositions To Motion To Compel/Strike Objections Against Hitachi
13 Defendants 9Docket No. 779);

14 WHEREAS Direct Purchasers and Indirect Purchasers filed three separate reply briefs in
15 support of each motion to compel the Hitachi Defendants: 1) Reply Letter Brief in Support of
16 Plaintiffs' Motion to Compel Discovery of Information Antedating November of 2003 (Docket No.
17 790); 2) Reply Letter Brief On Motion To Compel Discovery of Foreign Conduct and Pricing
18 (Docket No. 789); 3) Reply Letter Brief On Motion to Compel Discovery With Respect To CRT
19 Products (Docket No. 791); 4) Declaration of Mario N. Alioto In Support Of Reply Letter Brief On
20 Motion to Compel Discovery With Respect To CRT Products (Docket No. 792); and 5) Declaration
21 of R. Alexander Saveri In Support of Plaintiffs' Motions To Compel Discovery Against Hitachi
22 Entities (Docket No. 793);

23 WHEREAS the Special Master heard oral argument on the three motions to compel the
24 Hitachi Defendants and issued his three page Procedural And Scheduling Order on November 17,
25 2010 (attached hereto as Exhibit A); and

26 WHEREAS the Special Master's November 17, 2010 Procedural And Scheduling Order
27 allowed Plaintiffs and the Hitachi Defendant to agree to certain dates other than those set forth in
28 the Procedural and Scheduling Order, and, accordingly, Plaintiffs agreed to allow the Hitachi

1 Defendants until December 7, 2010, to provide the offer of proof set forth in paragraph 1 of
2 Procedural And Scheduling Order.

3 PLAINTIFFS AND HITACHI DEFENDANTS HEREBY STIPULATE AND AGREE AS
4 FOLLOWS:

5 1. The Procedural And Scheduling Order issued by the Special Master on November
6 17, 2010, is adopted as an Order of the Court.

7 DATED: December 2, 2010

SAVERI & SAVERI, INC.

8
9 By: /s/ Guido Saveri

GUIDO SAVERI

10 *Interim Lead Counsel for the Direct Purchaser*
11 *Plaintiffs Class*

12 DATED: December 2, 2010

**TRUMP, ALIOTO, TRUMP &
PRESCOTT, LLP**

13
14 By: /s/ Mario N. Alioto

MARIO N. ALIOTO

15 *Interim Lead Counsel for the Indirect Purchaser*
16 *Plaintiffs Class*

17
18 DATED: December 2, 2010

MORGAN LEWIS & BOCKIUS LLP

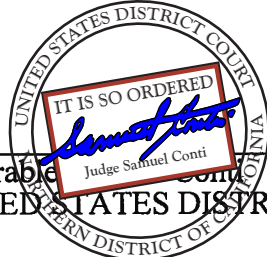
19
20 By: /s/ Diane L. Webb

DIANE L. WEBB

21 *Counsel for the Hitachi Defendants*

22 **IT IS SO ORDERED.**

23
24 Dated: 12/3/10

25
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Honorable Samuel Conti
UNITED STATES DISTRICT JUDGE

26 Pursuant to General Order no. 45, § X-B, the filer attests that concurrence in the
27 filing of this document has been obtained from each of the above signatories.

28 crt.343

EXHIBIT A

Hon. Charles A. Legge (Ret.)
JAMS
Two Embarcadero Center, Suite 1500
San Francisco, CA 94111
Telephone: (415) 774-2644
Fax: (415) 982-5287
Special Master

JAMS

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

CRAGO, INC., et al.,

Plaintiffs,

vs.

CHUNGHWA PICTURE TUBES, LTD., et al.,

Defendants.

No. 07-5944 SC
MDL No. 1917
JAMS Reference No. 1100054618

**PROCEDURAL AND SCHEDULING
ORDER**

This Document Relates to
ALL CASES

On November 12, 2010 several discovery motions were heard by the Special Master. This Procedural and Scheduling Order pertains to three of those motions, and to the scheduling of certain dates. A separate order will be issued with respect to the other two motions that were heard on November 12, 2010.

1. Motion by plaintiffs for discovery against the Hitachi defendants regarding "CRT Products":

By November 30, 2010 the Hitachi defendants are to submit to plaintiffs an offer of proof as to which Hitachi companies have been engaged in the CRT and/or CRT Products businesses

1 from January 1995 to date. The offer of proof is to include dates during which the Hitachi
2 defendants were engaged in such businesses, and should affirmatively state the periods of time
3 when they were not engaged in such businesses. The purpose of the offer of proof is to aid in
4 identifying what custodians might or might not have information on the subject matter of
5 Hitachi's activities regarding CRT Products. The Special Master anticipates that any stipulation
6 between the parties, or recommended order by the Special Master, will identify the discovery
7 search to be done based upon named custodians.

8 The parties are to meet and confer by December 7, 2010 to attempt to agree on which
9 custodians of the Hitachi defendants will be asked to provide information on the subject of CRT
10 Products.

11 The parties are to report to the Special Master by December 14, 2010.

12 The Hitachi defendants are also supply to plaintiffs a declaration by an appropriate
13 representative of Hitachi American Limited ("HAL") stating that there has been a search of the
14 records of the company, defining the scope of the search, and stating that the search has
15 disclosed no documents responsive to the discovery requests. This need not be done by a
16 specific date, but within a reasonable time.

17 2. Plaintiffs' motion to compel the Hitachi defendants to respond to discovery
18 concerning foreign activities and data. And 3. plaintiffs' motion to compel the Hitachi
19 defendants to produce discovery for a time period prior to November of 2003:

20 By December 8, 2010 the Hitachi defendants are to produce to plaintiffs organizational
21 charts of the companies which were engaged in the businesses of CRTs and/or CRT Products,
22 including identification of the persons employed by those companies who had authority over
23 pricing, sales, or marketing. The information is to encompass the time period from January 1995
24 to date.

25 By December 15, 2010 plaintiffs and the Hitachi defendants are to mutually exchange
26 lists of potential custodians of information within the Hitachi companies to whom appropriate
27 discovery on the subject matters of these two discovery motions might be directed.

28 By December 29, 2010 the parties are to meet and confer to attempt to agree on a list of
custodians. The objective is that the stipulation or order for discovery will be based upon named
custodians.

1 By January 5, 2011 the parties are to report to the Special Master.

2 4. The Special Master recognizes that there may be some duplication or overlap of
3 the written information to be provided by the Hitachi defendants to plaintiffs under paragraphs 1,
4 2 and 3 above. Solely for the purpose of avoiding duplication, the parties may, by stipulation
5 agree to a different or combined format, or to different dates, for the written information;
6 provided, however, that the dates for reporting to the Special Master are not to be deferred
7 beyond January 5, 2011.

8 5. Further proceedings in the above three motions are continued to a date to be set
9 by the Special Master after receipt of the reports of counsel.

10 6. The Case Management Conference previously scheduled for November 29, 2010,
11 is vacated and will be rescheduled by the Special Master.
12

13
14 IT IS SO ORDERED.
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16
17 November 17, 2010

18 Date

Charles A. Legge
19 Hon. Charles A. Legge

20 Special Master
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